

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

NOV 14 2002  
FBI

TIMOTHY E. AYERS

v.

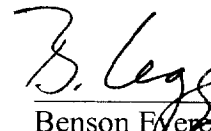
CHARLES T. CAPUTE

CIVIL NO. L-02-61

**ORDER**

On April 22, 2002, Defendant filed a Motion to Dismiss. On May 28th, the Plaintiff filed an amended complaint. The amended complaint cured the defect that was the subject of the Defendant's motion. Accordingly, Defendant's Motion to Dismiss is DENIED as moot. Discovery is to proceed according to the scheduling order issued on October 10th.

It is so ORDERED this 14<sup>TH</sup> day of November, 2002.

  
Benson Everett Legg  
United States District Judge

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